

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CASE NO. 3:23cv395-RJC-DCK

UNITED STATES OF AMERICA

v.

ALL CRYPTOCURRENCY, VIRTUAL  
CURRENCY, FUNDS, MONIES, AND OTHER  
THINGS OF VALUE SEIZED, PURSUANT TO  
A SEIZURE WARRANT, FROM BINANCE  
AND ASSOCIATED WITH USER ID #  
17392912, SUCH USER ID ASSOCIATED WITH  
THE NAME, VIPIN KUMAR, AND TETHER  
DEPOSIT ADDRESS,  
TCJvnhLCvCwqEzcYiZKbr9F4pkkiLPGzyv; et.  
al.

**MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSE TO SECOND  
MOTION TO DISMISS COMPLAINT  
FOR FORFEITURE *IN REM***

NOW COMES the United States of America, by and through Dana O. Washington, Attorney for the United States, and hereby requests an extension of time in which to respond to Claimant Vipin Kumar's second Motion to Dismiss Complaint for Forfeiture *In Rem* (Doc. 24). The Government's response is currently due on March 28, 2025. The Government requests an extension to April 28, 2025. If this Court grants the extension then, on or before April 28, the Government will either file a status report and additional motion to extend, file its response to the Motion to Dismiss, or file a proposed consent order for settlement. The Government understands, based on the Court's prior orders, the Court's disinclination to grant an extension. Nonetheless, the Government requests this extension for the following reasons:

Claimant's counsel and undersigned Government counsel have reached an agreement in principal on how to resolve this matter. However, numerous steps have been required and must continue to be completed before the parties can finalize that agreement in principal.

Specifically, undersigned had to obtain U.S. Attorney's Office management authority to settle. Typically, undersigned could quickly obtain such approval but, here, the U.S. Attorney's Office had to first resolve a conflict matter in regard to the U.S. Attorney.<sup>1</sup> The U.S. Attorney's Office has worked diligently for weeks to resolve this conflict issue and, just this morning, the Assistant Deputy Attorney General formally recused U.S. Attorney Ferguson from this case and the Executive Office of U.S. Attorneys General Counsel's Office granted authority to Senior Litigation Counsel Dana Washington to act as a signatory and Attorney for the United States on this case.

Further, now, in light of the amount of assets at-issue in this case, undersigned must obtain authority to settle from various components in the Department of Justice, up to and including the U.S. Department of Justice, Money Laundering and Asset Recovery Section ("MLARS") and possibly the Deputy Attorney General ("DAG"). Undersigned has already begun informal discussions with MLARS about settlement. Unfortunately, however, up until this morning when the GCO resolved the conflict issue, undersigned could not even begin the lengthy process of formally requesting such authority from MLARS and DAG.

Put simply, there have been and continue to be a variety of factors, totally outside of the control of the local United States Attorney's Office and opposing counsel, that perpetuated and continue to perpetuate the delays here, but settlement approval processes are now proceeding in due course.

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<sup>1</sup> United States Attorney Russ Ferguson represented a criminal defendant in a related case, so undersigned has not requested that he approve of this settlement.

WHEREFORE, the Government respectfully requests that this Court extend the response deadline in this matter to April 28, 2025. Undersigned has conferred with counsel for Claimant, and Claimant consents to this request.

Respectfully submitted, this, the 28th day of March, 2025.

DANA O. WASHINGTON  
ATTORNEY FOR THE UNITED STATES

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